

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Leamon Bradley Todd,)	
)	C/A No. 3:15-0283-MBS
Plaintiff,)	
)	
vs.)	
)	ORDER
Senator Lindsey Graham; Venus)	
Enterprises; Cheri Magazine,)	
)	
Defendants.)	
_____)	

Plaintiff Leamon Bradley Todd, appearing pro se and in forma pauperis, filed a complaint on January 21, 2015, alleging the following:

I have the copyrights for Venus Magazine; I believe they originally read Venus Ent., Venus Magazine, Venus Videos, & Venusa Products. I have stated w/you & Horry Co. Ct., wish to close down V.E. due to too much Pagan Idolatry in the U.S. Offer Mon Cheri Publications in place of VE, i.e., Cheri Mags; Gigi; Rubens; Sexy Sadie, Climaxxx, & Ecstasy.

Sen. Graham: I had asked Sen. Graham, collect from Pres. George W. Bush; proceeds from Ethanol, etc. I also told Graham I felt from Gifts of the Spirit, I had the Gift of Cures for Aids (Zinc Oxide), cancer (Nitrous Oxide), & Diabetes (Baraoxide)! Split Cellsin Oil (Phenyl Oxide)! I hope its all gone Interstellar, potentially worth Quazillions!

Plagiarism against Cheri Mag etc. Record w/Horry Co. Ct. Via Mon Cheri Publications.

I believe L. St. Clair (Darlene Dawn, Love Club, Chi, Ill.,)witness to me being Jean Pierre, as well as Copyright Office.

I had been to Horry Co. Ct. w/VE case, & Lee Co. Ct. w/Graham case.

S.C. Supreme Ct. Sent me to you. Speedy trial, please! Freedom of Religion, my Constitutional Right! Last I knew we a Democracy, w/a majority of Christians!

Concerning Idolatry, I cite: 1 Cor. 10:14-22, Gifts of the Spirit: 1 Cor. 12 & 13!

ECF No. 1.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Paige J. Gossett for pretrial handling. The Magistrate Judge construed the complaint as asserting claims (1) under 42 U.S.C. § 1983 for violation of civil rights, and (2) under the Copyright Act, 17 U.S.C. §§ 101 et seq. Regarding § 1983, the Magistrate Judge determined that Plaintiff provides no factual allegations to demonstrate a violation of his constitutional rights by Defendants. The Magistrate Judge also noted Plaintiff failed to show that Defendants Venus Enterprises and Cheri Magazine acted under color of state law. Further, the Magistrate Judge found that Senator Graham was entitled to absolute immunity from suit for any legislative actions performed.

Regarding Plaintiff's copyright claims, the Magistrate Judge determined that, assuming for purposes of discussion Plaintiff does control the copyright to Venus Magazine, his complaint contains insufficient factual allegations to show that any defendant made an unauthorized copy of protected material. Accordingly, on February 17, 2015, the Magistrate Judge issued a Report and Recommendation in which she recommended that the complaint be summarily dismissed. Plaintiff filed responses to the Report and Recommendation on March 6, 2015, March 10, 2015, and March 18, 2015.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). This court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1). This court may also receive further evidence or recommit the matter to the Magistrate Judge with instructions. Id.

Plaintiff's objections read as follows, verbatim:

I broke down & called Sen. Graham's Office in D.C. yesterday. They . . . denied every receiving papers concerning business. I am hereby dropping the case. I'm truly sorry if I wasted your time!

All I see that may be feasible are the Cheri Magazine Case. That is Plagiarism Case! Horry County Court, should have record concerning replacing Venus Enterprise w/Mon Cheri Publications. First off, I read in the Encyclopedia Britannica a long while back, that Venus, are associated with Satan; Lucifer, known as Nebuchanezzar! It Lucifer, on Venus; Satan, on Earth. It also said Lucifer are the Morning Star, Venus? I have proposed to replace VE, w/ Mon Cheri Publications due to the Goddess reputation, & association! I also read in Montague, that Lucifer, Venus lover.

I'm Christian, & associattion w/Satan, not my cup of tea. I'm sure the majority of Americans w/a majority of 75% of Christians, would well agree!

Now, the plagiarism, I'm speaking of is, I originated Mon Cherie Publications, title, & I feel, that somebody knowing the case in Horry Co. Court, plagiarized Mon Cheri, w/Cheri Magazine! I have a copy of Cheri Magazine, in my Locker!

Please settle in my favor!

ECF No. 12.

I also had written many years ago, the World Bank, via Geneva Convention; produce Ethanol! I've not received a dime! It suppose to be under Todd Corporation!

ECF No. 13.

I wish a commis[s]ion on Venus Magazine, it continues, etc. Past present, future.

ECF No. 14.

Anything, W.S., after VE SP, Generic, or plagiarism! ie Beck Enterprises, Venus Bathin[g] Suits, Venus Fashions, Venus Beauty Pageant, Myrtle Bch, SC, yearly; Venus Lesbian Mag, Atlanta! Banarama, I'm Your Venus, Europe Trip to Venus; Aerosmith, Dude, Worldwide, via 87!

ECF No. 15.

Plagiarism: I believe that Venus Razors, came after Venus Enterprises & "Final

Countdown,” by Europe! In the song they spoke of “flight to Venus”; I believe it were after I listed to Love Club Members, “Trip to Venus.”

ECF No. 16.

The district court is obligated to conduct a *de novo* review of every portion of the Magistrate Judge’s report to which objections have been filed. Id. However, the district court need not conduct a *de novo* review when a party makes only general and conclusory objections that do not direct the court to a specific error in the Magistrate Judge’s proposed findings and recommendations. Orpiano v. Johnson, 687 F.2d 44, 47-48 (4th Cir. 1982). Plaintiff’s responses do not rebut the Magistrate Judge’s conclusion that the complaint should be summarily dismissed.

The court adopts the Report and Recommendation of the Magistrate Judge and incorporates it herein by reference. The complaint is dismissed, without prejudice.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
Senior United States District Judge

Columbia, South Carolina

March 20, 2015.

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.